

REMARKS

The claims have been rejected under 35 U.S.C. 102(e) as being anticipated by Goodman et al. (USPN 6970318), which was incorporated in the present application as a copending application having common inventors and assignee.

Accompanying the present paper is a Declaration under 37 C.F.R. 1.132 that the Assignee of USPN 6970318 and the present application are the same and that the present application comprises the same inventors as USPN 6970318.

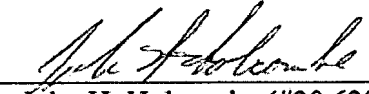
Hence, Applicants respectfully submit that USPN 6970318 is not “a patent granted on an application for patent by another” under 35 U.S.C. 102(e), and is thereby disqualified as prior art.

Further, a Terminal Disclaimer is provided herewith, provided with respect to USPN 6970318.

Accordingly, Applicants believe the present invention is allowable and respectfully request that the Examiner allow Applicants' Claims 45-52 and 54-56, and pass the case to issue.

Respectfully submitted,
Brian G. Goodman et al.

Date: Feb. 13, 2008

By: 
John H. Holcombe (#20,620)
Attorney for Applicants

From: IBM Corporation
Intellectual Property Law
8987 E. Tanque Verde Rd. #309-374
Tucson, AZ 85749

Telephone: (520) 760-6629

JHH/cw

Attachments: **Declaration under Rule 1.132**
Terminal Disclaimer